

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JOSHUA KENT NABORS

PLAINTIFF

v.

Civil No. 07-2062

JOHN ANTHONY DUTTON,
Sebastian County
Sheriff's Department

DEFENDANT

O R D E R

Now on this 9th day of August, 2007, comes on for consideration the **Report and Recommendation of the Magistrate Judge**, Hon. James R. Marschewski (document #5, filed July 19, 2007), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, Nabors' claims are hereby **dismissed and this case is closed**.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE